

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WILMINGTON DIVISION

IN RE:

TSR, LLC

CASE NO: 23-01577-5-DMW

DEBTOR

CHAPTER 7

MOTION FOR EXAMINATION  
PURSUANT TO BANKRUPTCY RULE 2004

NOW COMES John C. Bircher III, Chapter 7 Trustee ("Trustee"), by and through his undersigned counsel, and requests, pursuant to Rules 2004 and 9016 of the Federal Rules of Bankruptcy Procedure, an Order directing Justin William LaNasa ("LaNasa") to appear for an examination under oath. In support of this Motion, the Trustee shows the Court as follows:

1. The above-captioned bankruptcy case is pending in the Eastern District of North Carolina.
2. Trustee seeks to examine LaNasa regarding a broad range of financial issues related to the Debtor.
3. Federal Rule of Bankruptcy Procedure 2004 provides that the Court may order the examination of any entity on motion of any party-in-interest. Fed. R. Bankr. P. 2004(a). The examination may relate to acts, conduct, or property or to the liabilities and financial condition of the Debtor, or to any matter which may affect the administration of the Debtor's estate. The examination may also relate to the operation of any business and the desirability of its continuance, the source of any money or property acquired or to be acquired by the Debtor for purposes of ultimate distribution to creditors and the consideration given or offered therefore, and any other matter relevant to the case. Fed. R. Bankr. P. 2004(b).
4. Federal Rule of Bankruptcy Procedure 9016 makes Rule 45 of the Federal Rules of Civil Procedure applicable to this bankruptcy case such that a

Subpoena may be issued by the Court to require production of documents and to compel the attendance of witnesses to give testimony. Fed. R. Bankr. P. 9016.

5. The Trustee seeks information concerning (i) the acts, conduct, property, liabilities and financial condition of the Debtor; (ii) any matter which may affect the administration of the Debtor's estate; (iii) any other matter relevant to the case.

6. Trustee further requests that the LaNasa be ordered to appear for examination under oath September 26, 2023, beginning at 10:00 a.m., at the law offices of Hendren Redwine & Malone, PLLC, 4600 Marriott Drive, Suite 150, Raleigh, North Carolina, 27612 or at such other date, time and place as the parties mutually may agree.

WHEREFORE, the Trustee respectfully requests an Order directing the LaNasa to appear and submit to examination under oath September 26, 2023, beginning at 10:00 a.m., at the law offices of Hendren Redwine & Malone, PLLC, 4600 Marriott Drive, Suite 150, Raleigh, North Carolina, 27612, or at such other time and place as the parties mutually may agree.

Dated: 08/23/2023

s/John C. Bircher III  
John C. Bircher III  
N.C. State Bar No. 24119  
DAVIS HARTMAN WRIGHT LLP  
209 Pollock Street  
New Bern, NC 28560  
Telephone/Facsimile 252-262-7055  
Email: jcb@dhwlegal.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury that he is over eighteen (18) years of age and the **TRUSTEE'S MOTION FOR EXAMINATION PURSUANT TO BANKRUPTCY RULE 2004** was this day served upon the below named persons, parties and/or counsel by mailing, postage prepaid, first class mail, a copy of such instruments to such persons, parties and/or counsel at the address shown below or as indicated below:

Brian C. Behr  
Bankruptcy Administrator  
(via CM/ECF)

Jason L. Hendren  
Attorney for Justin W. LaNasa  
(via CM/ECF)

TSR, LLC  
Attn: Justin W. LaNasa, Manager  
208 South Front Street, Unit 3  
Wilmington, NC 28401

Dated: 08/23/2023

s/John C. Bircher III  
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